



Daniel M. Silver
Wilmington Office Managing Partner
T. 302-984-6331
F. 302-691-1260
dsilver@mccarter.com

McCarter & English, LLP
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, DE 19801-3717
www.mccarter.com

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VIA CM/ECF

The Honorable Richard G. Andrews
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3555

Re: Cytiva Bioprocess R&D AB, et al. v. JSR Corporation, et al., C.A. No. 21-310-RGA

Dear Judge Andrews,

We write on behalf of Cytiva, pursuant to the Court's Oral Order (D.I. 88) requesting a response to the first paragraph of JSR's letter (D.I. 87). Cytiva understood that the litigation would proceed only with regard to the four claims that the PTAB upheld as valid, and until JSR's submission, was not aware that JSR had a contrary view. Cytiva had no intention, and has no intention, of litigating claims that have been found to be unpatentable. We assumed that JSR understood that, but admittedly, we never raised the issue explicitly with JSR, and JSR never asked.

While Cytiva has not taken action with regard to the 79 claims determined to be unpatentable, that is because we anticipated discussing at the status conference what would happen to those claims. For example, should those claims be formally dismissed, and if so, what form should that take? To be clear, however, if dismissal of the invalidated claims with prejudice is a condition to lifting the stay and proceeding ahead with the case on the four valid claims, Cytiva is prepared to work with JSR on an appropriate stipulation to effectuate that dismissal. Accordingly, we request that the stay be lifted and that Cytiva be permitted to proceed on the four claims that the PTAB upheld.

We are available at the Court's convenience.

Respectfully submitted,

/s/ Daniel M. Silver

Daniel M. Silver (#4758)

cc: Counsel of Record (via CM/ECF and E-Mail)